22: Wiedfeldt--28-29 F-5 (1913) 1914 Formosan Aborigines
116, 685, 691, 421 Atayal

Civil cases among the Atayals [29] really amount to nothing more than contests about property and possession, the former between clans and the latter between families. ... Since there is no surveying and no fences, disputes about property lines are frequent and are difficult to decide. The Atayals have no written records. They do not know how to deal with the conflicting statements of different people, no matter how greatly they rely upon the testimony of eye-witnesses because of their great love of the truth... They do not consider it feasible to take the short additional step of determining a contested boundary line according to the testimony of the oldest people. They think this is too difficult and too uncertain in view of the importance of the matter.

22: Wiedfeldt—29 F-5 (1913) 1914 Formosan Aborigines
116, 685, 721, 695 Atayal

If two clan heads have a dispute concerning a piece of land, the tribal chief first discusses the matter, and then fixes a period of a few days, after which they are to appear again, bringing with them all the skulls that the members of their clans have been able to capture in the meantime. The clan chief who presents the most skulls gets the land. If a gun is stolen and the thief can not be found, the clans which are under suspicion, but never more than ten at the most, are ordered by the tribal chief to go out on a head-hunt. The clan that does not bring back any skulls, or the one that brings back the smallest number, is considered the thief. If a supposed murderer denies his deed, he has to present a certain number of skulls within a fixed time. The number of skulls rises according to how well founded the suspicions are. If he brings the skulls, he is not guilty.

22: Wiedfeldt--31 F-5 (1913) 1914 Formosan Aborigines
116, 685, 554, 802, 614 Atayal

On the basis of this kind of evidence [MC: i. e. skull trophies], disputed land is awarded to a clan, or a penalty is imposed on a clan. The head of the clan then assigns the land to the family concerned, or demands that they comply with the penalty. In business which concerns only the clan, the procedure is the same. All payments are made by the clan heads, with the occasional assistance of a wise man, that is, one who can surely count up to 30. The payment of the price for a bride, and the adoption settlements, etc., are also mostly made with the help of the head of the clan, for the ordinary Atayal can count up to 5 at the most. In decisions of this sort, where there are two steps, one of which is carried out between clans and the other within the clan, there is no difficulty in putting them into effect, as the tangible nature of what is generally recognized as evidence is a help.

25: Plaut--39 U-4 (no date) 1903 Formosan Aborigines
685 Bunun

Some of the Formosan tribes, such as the Vonum in the central part of the island, say that there is no theft whatsoever, and that it is not a question of stealing to take fruits and vegetables which others have gathered.

25: Plaut--41 [5] U-4 (no date) 1903 Formosan Aborigines
116, 627, 674, 685

Theft is unknown among some of the tribes. Among others it is very rare, and it is usually handled in such a way that the thief is required to restore the stolen property, or its equivalent, and to pay an additional fine.

25: Plaut--42 [2] U-4 (no date) 1903 Formosan Aborigines
116, 426, 685, 696 Paiwan

Since the Paiwan till the soil, they occasionally have quarrels about the ownership of a piece of property. The matter is usually arranged in this way. A wants to borrow a sum of money from B and he lets him work a field as security and as a return for his kindness. After one or two years he wants to pay back the loan, but B prefers to keep the field and claims that the business about the loan was purely an oral agreement, and that A owes him a much larger amount, or else he says that he has sold the field and that the alleged loan was the purchase price which he paid. The affair is taken to the chief. He summons both parties, examines the case, realizes that A's claim is a just one, and commands B to restore the field. In case B refuses, the chief takes the sum of money from A, goes to B's house with two men, hands him the money, and forces him to surrender the field. Then B also has to replace all the gifts which A has given to the chief and his companions for their trouble, or else he has to defray the expenses for the feast which A has as a thank offering. If the chief is unable to decide which man is right, he confiscates the field and declares that it is the common property of the tribe. This procedure is called Kuikon, a word which is probably borrowed from the vocabulary of the Chinese settlers, and which is derived from Kwi-kung, meaning "to fall back to the public", that is to the state.

49: Wei E-5 (1955) 1955 AD1 Formosa
Formosan Aborigines AD4
Paiwan

565 291 [301] are only allowed to be worn by chiefs; and embroidered *lionpao* (long clothe), *hoŋ na kinimaʔaŋ* (long skirt) and *kasuja tsino at səvanaŋ* (trousers) by chiefess.

Ornaments, especially *lailai* (feather ornaments), *patal na paŋaŋiliŋ* (hat-ornament made of leopard's teeth), *taʔata* (shoulder ornament made of a kind of shell), *tsalaral* (silver shoulder ornament), *aliatpula* (glass bead necklace) are only allowed to be used by nobles.

E. Right to perform ceremonies

565 554 a) Felicitation on having an elder offspring is only performed by the nobles. A gun and some iron ware must be sent to the maternal relatives on this occasion. This is called *ləmiɕi*.

565 583 b) A bride price is called *ɕiniliɕi*. According to the social status, it is divided into three classes: *mamatsaŋiraŋ*, *maluutsivtsik* and *talaʔalalak*. *mamatsaŋiran* consists of a piece of cultivated land (*atunaʃaŋ*) a household of serf (*wadis*), five kinds of iron articles; *maluvtsivtsik* only two or three kinds of iron article; and *talaʔalalak* only two or three iron articles. The marriage ceremony also differs between nobles and commoners.

764 565 c) Funeral rites: At the death of a chief, the whole village wears mourning dresses for five days, *maluvtsivtsik* and *utsiputsipoŋ* a month. At the death of a *matuvtsivtsik*, his relatives and *utsiputsipoŋ* wear mourning dresses for a month, and his *umutel* five days. At the death of a commoner, his relatives wear weeds for a month.

F. Privilege from criminal trial

565 [687] a) A commoner will be fined a penalty of a pig, a bottle of wine, several iron articles by his lese-majesty (*napanuŋatsə*) to a chief. A noble commits no lese-majesty.

[554] b) If a commoner's house is carved, his body tattooed, and his clothes decorated, he is regarded as having committes a crime of arrogation (*napatsəra*). He will be fined a penalty of the same as that of a lese-majesty.

[685] c) The nobles commit no crime of robbery (*tsəmav*).

[682] d) A murderer must pay the equivalence of the price of the murdered which differs according to one's social status. If a commoner murdered a noble, all properties of his own as well as his brothers will be confiscated, and he himself will be exiled from the village.

[684] e) The nobles commit no crime of adultery, but a noble may ask penalty from one who commits adultery with his or her spouse. A commoner who ravishes a chiefess will be heavily punished and exiled from the village.